

Filed for intro on 01/28/2002  
SENATE BILL 2842 By  
Jackson

HOUSE BILL 2578  
By Fowlkes

AN ACT to amend Tennessee Code Annotated, Title 49 and Title 71, relative to vending machines and nutrition in schools.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 23, is amended by adding the following as a new appropriately designated section:

49-6-23\_\_.

(a) At elementary and middle schools, the sale of all foods on school grounds shall be approved for compliance with the nutrition standards set out in this section by the person or persons responsible for implementing these provisions as designated by the school district.

(b)

(1) At elementary schools, the only food that may be sold to pupils during breakfast and lunch periods is food that is sold as a full meal. This subsection does not prohibit the sale of fruit, nonfried vegetables, legumes, beverages, dairy products, or grain products as individual food items if they meet the requirements set forth in this subsection.

(2) An individual food item sold to a pupil during morning or afternoon breaks at elementary schools shall meet all of the following standards:

(A) Not more than thirty-five percent (35%) of its total calories shall be from fat. This subpart does not apply to the sale of nuts or seeds.

(B) Not more than ten percent (10%) of its total calories shall be from saturated fat.

(C) Not more than thirty-five percent (35%) of its total weight shall be composed of sugar. This subpart does not apply to the sale of fruits or vegetables.

(3) Regardless of the time of day water, milk, one hundred percent (100%) fruit juices, or fruit-based drinks that are composed of no less than fifty percent (50%) fruit juices and that have no added sweeteners are the only beverages that may be sold to pupils at an elementary school.

(c) In middle schools, from one-half (1/2) hour before the start of the schoolday until after the end of the last lunch period, no carbonated beverage shall be sold to pupils.

(d) At middle schools, vending machines that contain beverage items that do not meet the requirements in this section shall remain locked or be rendered inoperable until after the end of the last lunch period.

(e) An elementary school may permit the sale of food items that do not comply with subsections (a) through (f) of this section as part of a school fundraising event in any of the following circumstances:

(1) By pupils of the school if the sale of those items takes place off of school premises; or

(2) By pupils of the school if the sale of those items takes place at least one-half (1/2) hour after the end of the schoolday.

SECTION 2. This act shall take effect July 1, 2002, the public welfare requiring it.